

2.5 Cultural Resources

	Potentially Significant Impact	Less-than-Significant with Mitigation	Less-than-Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2.5.1 Environmental Setting

This section provides a discussion of the existing conditions, as well as relevant prehistoric and historical conditions, related to cultural resources on the Project site and in the immediately surrounding area. Information in this section is based on the Draft Historic Resources Evaluation Report (HRER) (ICF 2014a) and Draft Archaeological Survey Report (ASR) (ICF 2014b) prepared for the Project.

2.5.1.1 Existing Conditions

The Project area is located in an urban setting that consists mostly of roadways. Landscaping, including trees, is found along Mandela Parkway. Landscaping and trees along other roadways are limited. The Wood Street parking lot and the area beneath I-880 on the south side of West Grand Avenue contain ruderal vegetation. In addition, the area beneath I-880 on the south side of West Grand Avenue supports an earthen drainage ditch.

Ethnography and History

This section includes a brief summary of the ethnography and history of the Project area and vicinity. **Appendix G, Cultural Resources Background**, includes more detail regarding the ethnography, prehistory and history of the area.

At the time of European contact, the Bay Area was occupied by a group of Native Americans whom ethnographers refer to as the Ohlone or Costanoan. The territory of the Ohlone people extended along the coast from the Golden Gate to just below Carmel and as far as 60 miles inland (Levy 1978:485–486). With the introduction of seven Spanish missions in Ohlone territory between 1776 and 1797, the population reduced dramatically from approximately 10,000 to less than 2,000. The reduction was due to the introduction of disease, harsh living conditions, and reduced birth rates.

In 1834, the Mexican government began secularizing mission lands. Most of the indigenous population scattered away from the mission centers, although some remained and were given jobs as manual laborers or domestic servants on Mexican ranchos or, later, American cattle ranches.

The land that is now Oakland was part of the Mexican land grant given to Luis Maria Peralta in 1820. The Rancho San Antonio encompassed approximately 44,800 acres. This represents virtually all of today’s Oakland, San Leandro, Alameda, Piedmont, Emeryville, Berkeley, and Albany. In 1842, Peralta divided his rancho among his four sons (Marschner 2001:149–153).

In 1852, Oakland was incorporated by the state legislature. Commercial and industrial development concentrated near the wharves as early as 1854, when ferryboat service to San Francisco was established. In 1863, the San Francisco and Oakland Railroad was completed and began operation along Railroad Avenue (now 7th Street), extending from Oakland Point (now West Oakland) to Broadway. For much of its history, West Oakland was a peninsula surrounded an estuary, tidal slough and marsh. Development in West Oakland has been closely tied to its railroad, military, and maritime industries.

In 1869, the transcontinental railroad terminus was completed in Oakland, and the population, as well as businesses, in Oakland saw its first major boom. The railroad lines along 1st and 7th Streets brought residential, commercial, and industrial development to West Oakland, which would become a railroad town and gradually expand over parts of the marshlands. Headquarters for the railroad's Northern California maintenance, construction, and shipbuilding operations was located in West Oakland. This employed about half of the local residents.

In 1909, the Western Pacific Railroad built tracks and a freight depot in West Oakland, about 2 miles south of the Project area. A lesser known industrial district developed in the Project area but more slowly because of obstacles created by the natural landscape (marshlands). The Outer Harbor and the area east of the railroad tracks did not see development until well into the 1920s, when automobile and truck transportation became more prevalent. Construction of the Caldecott Tunnel and the Bay Bridge connected Oakland to the surrounding communities and enabled industrial and warehouse development away from the railroad lines. By 1920, there were some scattered strips of industrial development along Peralta Street and 22nd Street east of the tracks. World War I (1914–1918) and World War (1939–1945) brought heavy maritime industry to the area of Oakland known as West Oakland.

By 1935, much of the West Oakland area was zoned for heavy industry, and several prominent industries were located west of Peralta Street. These included Pacific Coast Aggregates and the Merco Nordstrom Valve Company at 24th and Peralta Streets and the brick warehouse at 18th and Campbell Streets. However, complete industrial development of the Project area in West Oakland would not occur until construction of the Bay Bridge in 1936, the purchase of the Outer Harbor by the U.S. Army during World War II, and the later boom of the postwar years.

In 1941, the U.S. Army took control of the entire Outer Harbor, developed the areas between Maritime Street and the railroad tracks, and filled marshlands, thereby opening the area east of the tracks to further development. In 1943, the Port was completed, comprising 13 deep ship berths, approximately 175 buildings, 27 miles of rail tracks, and millions of square feet of open and covered storage space. Military activities in the area continued with the Korean War in 1950, the Vietnam War in the 1960s and 1970s, and Desert Storm in the early 1990s.

In 1995, the Defense Base Realignment and Closure Commission recommended closure of the Oakland Army Base. As a result, the Oakland Base Reuse Authority was created to oversee closure and transfer to the Oakland Redevelopment Agency and the Port of Oakland. Military activity on the base officially ceased in 1999. The former base property was to be shared by the City and the Port; the title was transferred on August 7, 2006 (Minor 2006:3).

Currently, demolition of much of the Oakland Army Base is under way; the area is being redeveloped by the City of Oakland and the Port of Oakland.

Research, Outreach and Tribal Consultation, and Surveys

ICF followed a four-step process to prepare this analysis: (1) conducted background research at the Northwestern Information Center (NWIC) to identify previously recorded resources or reports regarding

properties within and adjacent to the Area of Potential Effect (APE) and establish the general historic context for the APE, (2) reached out to the Native American Heritage Commission (NAHC) and consulted with local Native American groups, (3) conducted in-depth property-specific research, and (4) performed on-site fieldwork to inspect and record resources in the APE.

Research

An initial records search was conducted at the California Historical Resources Information System (CHRIS) Northwest Information Center (NWIC) at Sonoma State University, Rohnert Park, on April 29, 2013. The records search compiled bibliographic references, previous survey reports, historic maps, and archaeological site records pertinent to the Project in order to identify prior archaeological studies and known cultural resources within a 0.5-mile area surrounding, or adjacent to, the archaeological APE. Because of the amount of time that had passed since the initial records search, an updated search was conducted by NWIC staff members on August 13, 2021, to identify any additional sites or studies within the APE or the 0.5-mile area surrounding the archaeological APE.

The records searches identified one previously recorded archaeological resource, P-01-010490/CA-ALA-602H, a historic-era refuse deposit, within the archaeological APE. The deposit was identified approximately 3 feet below a layer of crushed rock (fill material) at a depth of 3 to 4 feet. Materials included glass bottles, ceramics, nails, metal fragments, oyster shells, and butchered bones. The recovered sample was dated to between 1883 and 1914 (Longfellow 2000). In addition to the one archaeological resource, three built environment resources were identified within the APE, the Heroic War Dead U.S. Army Reserve Center (P-01-010831), the Oakland Army Base Historic District (P-01-005891), and the Peralta Studios Building (P-01-010842). Seventy-nine additional resources, consisting of 77 historic-era structures, residences, and districts, and two archaeological sites, consisting of one shellmound and one historic refuse deposit, were identified within 0.5 mile of the APE.

Twelve previous studies have covered portions of the archaeological APE or adjacent areas. The majority of these studies focused on the Oakland Army Base and buildings within the base. Additional studies focused on the archaeology and history of West Oakland, the installation of fiber optics, and the San Francisco-Oakland Bay Bridge.

ICF also reviewed several historic maps of West Oakland in order to place the archeological APE, as well as the entire Project area, in a proper historical context. The following historic maps were reviewed:

- 1876 map of Oakland, Alameda, and vicinity (King, M.G. 1876. *Map of Oakland, Alameda, and vicinity, Showing Plan of Streets as Opened and Proposed*. [David Rumsey Map Collection]); and
- 1895 U.S. Geological Survey (USGS) 7.5-minute Oakland West quadrangle (1:24,000 scale).

The 1876 map shows that the western half of the archaeological APE was within the open water of San Francisco Bay. The eastern half was within marshland. A small portion of the archaeological APE extended beyond the marshland and into wetlands along Mandela Parkway, formerly called Cypress Street. Beyond the archaeological APE, the map shows the plan for streets, as proposed at the time. The streets, which extended into the Bay on both sides of the archaeological APE, were laid out with two grid patterns, each with lots of similar sizes.

The 1895 map shows that the proposed 1876 layout for West Oakland was not constructed. By 1895, the Northern Railway corridor, which is now occupied by the UPRR and I-880, was the western boundary for Oakland. West of the railroad tracks were the open waters of San Francisco Bay. East of the railroad tracks, marshland still encompassed the majority of the eastern portion of the archaeological APE. The exception was a small area that extended to the east side of present-day Mandela Parkway. Although

houses are shown north, east, and south of the archaeological APE, no buildings or structures are located in the APE on the 1895 map.

Outreach and Tribal Consultation

To assess the potential to affect as-yet undocumented prehistoric archaeological resources, which are often also considered tribal cultural resources, the NAHC was requested to conduct a search of its Sacred Lands File. The request was submitted on September 29, 2020. The NAHC responded on October 5, 2020, providing a list of 10 California Native American tribal representatives. Specifically, the NAHC identified sacred lands in the Project vicinity and provided the names of three individuals for ICF to contact for more information about these sacred lands. A formal notification, pursuant to Assembly Bill 52, was sent to the three individuals associated with the sacred lands as well as the seven additional California Native American tribal representatives on October 19, 2020. All tribal representatives had the opportunity to formally request consultation until November 30, 2020. No requests were received within the 30-day response period.

Surveys

A field survey of the archaeological and architectural APE was conducted by an ICF archaeologist and architectural historian on May 8, 2014. An additional architectural survey was conducted by ICF architectural historians on May 12, 2014. The archaeological APE comprises paved roadways (West Grand Avenue, Burma Road, Maritime Street, Wood Street, 20th Street, Campbell Street, Willow Street, and Mandela Parkway) and/or paved areas that include infrastructure, parking lots, and recent landscaping.

Because the archaeological APE is within a heavily urban/industrial environment, no native ground surfaces were observed during the field survey. However, the entire archaeological APE was inspected as much as was possible for indications of early human activity. Indicators can include stained midden soils, stone artifacts, historic-era trash scatters/artifacts, dietary shells and bones, and unnatural depressions or mounds. Because of the highly developed nature of this area, no evidence of P-01-010490/CA-ALA-602H was relocated during the field survey. No cultural resources were observed in the archaeological APE during the field survey.

The APE for architectural resources includes the same areas of direct impact, the entirety of properties with partial direct impact, and adjacent properties with potential visual and other indirect impacts. The architectural APE encompasses properties that have the potential to be directly and indirectly impacted by the Project. Indirect impacts include properties within view of the proposed Project, primarily properties adjacent to the area of direct impact. The boundaries are generally the Caltrans maintenance facility on Burma Road to the west, Mandela Parkway to the east, a warehouse district on 26th Street to the north, and 20th Street on the south. Mandela Parkway is included in both the architectural and archaeological APE from 28th Street on the north to 18th Street on the south.

Historical Resources Identified

There are 26 built-environment architectural resources in the APE. Twenty-two were evaluated for listing in the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR). Four were found to be eligible for individual listing in the NRHP and CRHR. Eighteen were found *not* to be eligible for listing in the NRHP or CRHR. The remaining four were exempt from evaluation per the terms stipulated in the 2014 Amended Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section

106 of the National Historic Preservation Act as It Pertains to the Administration of the Federal-Aid Highway Program in California. Further detail on eligible properties is provided below.

Properties Eligible for Listing

Based on the criterion described in Section 2.5.1.2, *Regulatory Setting*, the following four properties in the APE are determined eligible for listing in the NRHP under Criterion A and C, and in the CRHR under Criterion 1 and 3. The four properties are identified by a map reference (MR) number, which corresponds to the numbers in **Figure 2.5-1** and the Draft HRER prepared for the Project. In the Draft HRER, these properties are shown in the APE map and have been formally recorded and evaluated in Department of Parks and Recreation update forms (ICF 2014a).

- **MR-1:** The warehouse at 1688 24th Street includes a two-story Classic Moderne office building. The office building is in front of the stepped-parapet warehouse. Both structures are concrete.
- **MR-2:** The two-story office building at 2401–2403 Willow Street and 1700 24th Street is in the Streamlined Moderne Style. Curved windows, the lower portion of which feature glass blocks, face the intersection of Willow and 24th Street. Raised stucco trim unites the lintels and sills on the windows, creating continuous horizontal lines. The warehouse structure parallel to Willow Street has a broad steel canopy over the loading docks, with truck bumpers protecting the raised floor.
- **MR-3:** The industrial complex at 1657–1699 West Grand Avenue is made up of steel-frame structures with corrugated tin cladding and gable ends, with each structure abutting the next at the eaves. The complex covers nearly the entire block. However, a freight yard with parking is parallel to Willow Street, and a small lot is at 20th and Campbell Street. At the corner of Willow Street and West Grand Avenue is a detached office building from 1967. It stands two stories in an exposed steel frame with brick veneer panels set between the posts. At the entry, facing the intersection, the building has two-story floor-to-ceiling, aluminum-frame fixed windows as well as aluminum I-beams that have been set vertically to form a screen that filters the afternoon sun.
- **MR-4:** The warehouse at 2109–2121 Peralta Street has been converted to a live-work space; few alterations have been made to the one- and two-story units. The steel-frame structure has a brick veneer and large multi-pane, steel-frame windows that fill the upper three-quarters of each structural bay. The windows have operational awnings.

These four properties were part of the warehouse and storage industry, which was centered where railroad, truck, and shipping operations intersected in West Oakland. This location is near the east landing of the San Francisco-Oakland Bay Bridge, the Port of Oakland, the Oakland Army Base, interstate highways, and a railroad corridor.

Former Oakland Army Base Historic District

The APE includes the Northeast Section of the former Oakland Army Base Historic District and properties in the West Oakland warehouse area north and south of West Grand Avenue (**Figure 2.5-1**). Eight buildings in the APE were completely or partially demolished since preparation of the Draft HRER. As indicated in the Draft HRER, because of demolition, ICF—with Caltrans Professionally Qualified Staff (PQS) approval—excluded the former historic district from the APE. Additional information is provided in the Draft HRER Summary of Findings (ICF 2014a).

2.5.1.2 Regulatory Setting

Federal and State

Section 106 of the National Historic Preservation Act and National Register of Historic Places

Section 106 of the National Historic Preservation Act (NHPA) requires, before beginning any undertaking, a federal agency to take into account the effects of the undertaking on historic properties. The Section 106 process and additional detail are included in **Appendix G**. The following describes how properties are determined eligible for listing in the NRHP. Parts of this process are also used to determine CRHR-eligible properties.

To be listed in the NRHP, a property must be at least 50 years old (or be of exceptional historic significance if less than 50 years old) and meet one or more of the NRHP criteria. To qualify for listing, a *historic property* must represent a significant theme or pattern in history, architecture, archaeology, engineering, or culture at the local, state, or national level. It must meet one or more of the four criteria listed below and have sufficient integrity to convey its historic significance. The criteria for evaluating the eligibility of a historic property for listing in the NRHP are defined in 36 CFR Section 60.4, as follows.

- Criterion A – Association with events that have made a significant contribution to the broad patterns of our history.
- Criterion B – Association with the lives of persons significant to our past.
- Criterion C – Resources that embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; or represent a significant and distinguishable entity whose components may lack individual distinction.
- Criterion D – Resources that have yielded, or may be likely to yield, information important to history or prehistory.

In addition to meeting the significance criteria, a significant historic property must possess integrity to be considered eligible for listing in the NRHP. *Integrity* refers to a property’s ability to convey its historic significance (U.S. Department of Interior 1991:44). *Integrity* is a quality that applies to historical resources in seven specific ways: location, design, setting, materials, workmanship, feeling, and association. Evaluating a property’s integrity for NRHP purposes and California Environmental Quality Act (CEQA) purposes is based on guidance in National Park Service (NPS) Bulletin 15, *How to Apply the National Register Criteria for Evaluation* (National Park Service 2002). Refer to **Appendix G** for additional information on determining a property’s integrity.

California Environmental Quality Act

Two categories of cultural resources are specifically called out in the CEQA Guidelines. The categories are historical resources (State CEQA Guidelines Section 15064.5[b]) and unique archaeological sites (State CEQA Guidelines 15064.5[c]; California Public Resources Code [PRC] Section 21083.2). Different legal rules apply to the two different categories of cultural resources. However, the two categories sometimes overlap when a “unique archaeological resource” also qualifies as an “historical resource.” In such an instance, the more stringent rules for archaeological resources that are historical resources apply, as explained below. In most situations, resources that meet the definition of a *unique archaeological resource* also meet the definition of a *historical resource*. As a result, it is current professional practice to evaluate cultural resources for significance based on their eligibility for listing in the CRHR.

Historical resources are those meeting the requirements listed below:

Historical Resources Identified



Figure 2.5-1

- Resources listed in or determined eligible for listing in the CRHR (State CEQA Guidelines Section 15064.5[a][1]).
- Resources included in a local register, as defined in PRC Section 5020.1(k), “unless the preponderance of evidence demonstrates” that the resource “is not historically or culturally significant” (CEQA Guidelines Section 15064.5[a][2]).
- Resources identified as significant in surveys that meet the standards provided in PRC Section 5024.1[g] (CEQA Guidelines Section 15064.5[a][3]).
- Resources that the lead agency determines are significant, based on substantial evidence (CEQA Guidelines Section 15064.5[a][3]).

Unique archaeological resources, on the other hand, are defined in PRC Section 21083.2 as resources that meet at least one of the following criteria:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person. (PRC Section 21083.2[g])

The process for identifying historical resources is typically accomplished by applying the criteria for listing in the CRHR (14 California Code of Regulations [CCR] Section 4852). This states that a historical resource must be significant at the local, state, or national level under one or more of the following four criteria:

1. The resource is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. The resource is associated with the lives of persons important in our past.
3. The resource embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of a master; or possesses high artistic values.
4. The resource has yielded, or may be likely to yield, information important in prehistory or history.

To be considered a historical resource for the purpose of CEQA, the resource must also have *integrity*. Integrity is the authenticity of a resource’s physical identity, evidenced by the survival of characteristics that existed during the resource’s period of significance. Resources, therefore, must retain enough of their historic character or appearance to be recognizable as historical resources and convey the reasons for their significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. It must also be judged with reference to the particular criteria under which a resource is eligible for listing in the CRHR (14 CCR 14 Section 4852[c]). Integrity assessments made for CEQA purposes typically follow the National Park Service (NPS) guidance used for integrity assessments for NRHP purposes (see above).

Resources that meet the significance criteria and integrity considerations must be considered and treated further. This does not preclude a lead agency under CEQA from determining that the resource may be a historical resource (as defined in PRC Sections 5020.1j or 5024.1), even if it is not listed or eligible for listing in the CRHR or a local register of historical resources or identified in a historical resource survey (CEQA Guidelines Section 15064.5[a][4]). Notably, a project that causes a substantial adverse change in

the significance of a historical resource is a project that may have significant impact under CEQA (CEQA Guidelines Section 15064.5[b]). A substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the resource would be materially impaired. The significance of a historical resource is materially impaired if a project demolishes or materially alters any of the qualities listed below.

- That justify the inclusion or eligibility for inclusion of a resource in the CRHR (CEQA Guidelines Section 15064.5[b][2][A],[C]).
- That justify the inclusion of the resource in a local register (CEQA Guidelines Section 15064.5[b][2][B]).

California State Law Governing Human Remains

California law sets forth special rules that apply where human remains are encountered during project construction. As set forth in CEQA Guidelines Section 15064.5[e], in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, no further excavation or disturbance of the site or any nearby area suspected of overlying adjacent human remains should take place until:

1. The coroner of the county in which the remains are discovered is contacted to determine that no investigation of the cause of death is required (as required under California Health and Safety Code [CHSC] Section 7050.5).
2. If the coroner determines the remains to be Native American:
 - a. The coroner will contact the NAHC within 24 hours.
 - b. The NAHC will identify the person or persons it believes to be most likely descended from the deceased Native American.
 - c. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work regarding the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods (as provided in PRC Section 5097.98), or
 - d. When the following conditions occur, the landowner or authorized representative will rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:
 - 1) The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
 - 2) The descendant identified fails to make a recommendation; or
3. The landowner or his authorized representative rejects the recommendation of the descendant and the mediation by the NAHC.,

Regional and Local

City of Oakland Landmarks and S-7 Preservation Combining Zone

- The City of Oakland’s Landmarks Preservation Advisory Board defines *landmarks* in “Guidelines for Determination of Landmark Eligibility” as having “special character or special historical, cultural, educational, architectural, aesthetic, or environmental interest or value.” Demolition of a landmark can

be postponed for up to 240 days while under review, and City Planning Department approval is required for any exterior alterations after a recommendation from the Landmarks Preservation Advisory Board.

- Properties eligible for S-7 designation are defined in Section 17.84 of the zoning regulations. This designation is “intended to preserve and enhance the cultural, educational, aesthetic, environmental, and economic value of structures, other physical facilities, sites, and areas of special importance due to historical association, basic architectural merit, the embodiment of a style or special type of construction, or other special character, interest, or value.” Demolition of or alteration to designated S-7 properties is subject to the same design review and regulations set for landmarks.

City of Oakland Standard Conditions of Approval

The following SCAs (summarized below) are relevant because Project construction would require ground disturbance and a grading permit.

- 51. Archaeological Resources.** If cultural resources are discovered during ground disturbing activities, all work will stop and a qualified archaeologist or paleontologist will be notified to assess the significance and, if necessary, help determine appropriate avoidance or other measures.
- 52. Human Remains.** If human skeletal remains are discovered, all work will stop and the Alameda County Coroner will be contacted to evaluate the remains, determine if the California native American Heritage Commission will need to be contacted, and determine avoidance or other measures.

2.5.2 Discussion of Potential Impacts

- a. **This Project would have a less-than-significant impact on historical resources found in the Project area.**

The Class I portion of the Link, Class II bike lanes, and Wood Street parking lot would result in minor alterations to the existing setting of identified historic resources. The following are the four identified historic resources, which are described in greater detail in Section 2.5.1.1, above (also see **Figure 2.5-1**):

MR-1: The warehouse at 1688 24th Street includes a two-story Classic Moderne office building in front of the stepped-parapet warehouse.

MR-2: The two-story office building at 2401–2403 Willow Street and 1700 24th Street is in the Streamlined Moderne Style.

MR-3: The industrial complex at 1657–1699 West Grand Avenue is made up of steel-frame structures with corrugated tin cladding and gable ends, with each structure abutting the next at the eaves.

MR-4: The warehouse at 2109–2121 Peralta Street has been converted to a live-work space; few alterations have been made to the one- and two-story units.

MR-1 is in the vicinity but not immediately adjacent to proposed facilities. As shown in **Figure 2.5-1**, existing structures would block views of the proposed facilities, including the Class I portion of the Link, Class II bike lanes, and Wood Street parking lot.

MR-2 is adjacent to proposed Class II bike lanes on Wood Street and the Wood Street parking lot. Although the at-grade bike lanes and parking lot would result in a visual change in the area around the structure, the setting lacks historic integrity. Therefore, the impact on MR-1 and MR-2 would be less than significant.

MR-3 and MR-4 are adjacent to the proposed Class I portion of the Link and Class II bike lanes on Campbell, Willow and 20th Streets. The Class I bike path is aligned with elevated and at-grade portions of West Grand Avenue. West Grand Avenue's elevated ramp or overcrossing begins west of Campbell Street, which separates MR-3 from MR-4. The setting of West Grand Avenue was greatly altered in 1997 following partial collapse of the Nimitz Freeway (now Mandela Parkway) during the Loma Prieta earthquake in 1989. Therefore, the setting of MR-3 and MR-4 was significantly altered within the last 20 years. The introduction of the Class I portion of the Link would not affect the historic integrity of setting of either historic property or have any direct effect. This impact would be less than significant. In addition, as described in Section 2.13.2 under question (b), construction activities such as pile driving would not threaten fragile historic resources. There are no structures within 175 feet of West Grand Avenue between Wood Street and Campbell Street, the area where pile driving would occur, that would be considered extremely fragile historic buildings, ruins, or ancient monuments. There is one property (MR 3, at 1657 West Grand Avenue) that may be eligible for the NRHP. However, this property is not considered to be an extremely fragile historic building. The property includes large steel storage sheds with high tensile strength. The sheds were designed for the use of heavy equipment within and around the structures. Therefore, this impact would be less than significant.

b. This Project would have a less-than-significant impact on archaeological resources.

The NWIC records search identified one previously recorded historic archaeological resource, a refuse deposit, within the archaeological APE. No traces of this resource were identified during the field survey. In addition, minimal ground disturbance (up to 3 feet deep) is anticipated in this portion of the Project area. As discussed earlier, this resource was identified under at least 3 feet of crushed rock in a fill layer.

Some Project construction, such as pile driving for the elevated bike path, could result in ground-disturbing activities that could affect previously undiscovered archaeological resources. However, this is considered unlikely because historic maps of the Project area indicate that the majority of the ground-disturbing activities would be limited to areas of historic marshes/wetlands and existing infrastructure. The small portion of the Project that would touch ground at the edge of the historic marsh/wetland area, near Mandela Parkway, is not considered sensitive for buried resources. This is because of the lack, prehistorically, of stable, dry ground. However, the NAHC identified sacred lands in the vicinity of the APE, which suggests that the APE may have increased potential for containing as-yet undocumented prehistoric archaeological resources. In addition, there is a slight possibility for previously undiscovered historical archaeological resources to be encountered during construction activities. However, **AMM CUL-1** (Stop Work if Buried Cultural Resources Are Discovered), would ensure that this impact would be less than significant through requiring that construction work be stopped if buried cultural resources are inadvertently discovered during ground-disturbing activities.

c. This Project would have a less-than-significant impact on human remains, including those interred outside of formal cemeteries.

Although there is no indication that any portion of the Project area has been used for human burials, the NAHC identified sacred lands in the vicinity of the APE, which suggests that as-yet undocumented archaeological resources may be present in the vicinity. These resources could include human remains. Therefore, the possibility remains that unmarked burials could be unearthed during excavation and ground-disturbing activities. However, **AMM CUL-2** (If Human Bones Are Discovered, Comply with State Laws Related to Human Resources), would ensure that this impact would be less than significant by ensuring that construction work is stopped if buried cultural resources are discovered, including human remains that are buried outside a dedicated ceremony. If such remains are discovered, the County coroner would be informed and no excavation would proceed until either the remains are determined not to be Native American in origin or either the descendants of the Native American(s) make a recommendation

for treatment of the remains or the NAHC has been unable to identify a descendant or the descendant fails to make a recommendation.

2.5.3 Mitigation Measures

No mitigation measures are required to reduce impacts related to cultural resources to a less-than-significant level.